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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

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STX Pan Ocean Co., Ltd.,

Plaintiff,

*versus*

ThyssenKrupp Materials NA, Inc., *et al.*,

Defendants.

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Civil Action H-11-208

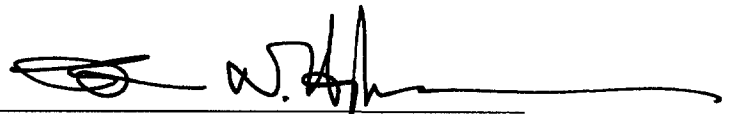
### Opinion on Dismissal

Claims asserted under the Carriage of Goods by Sea Act must be brought within one year. The damaged cargo was discharged November 1 through November 3, 2008. Suits about that cargo must have been brought by November 3, 2009. STX Pan Ocean Co., Ltd., sued ThyssenKrupp Materials NA, Inc. and Gothaer Allgemeine Versicherung AG in this court on January 14, 2011, more than a year after limitations had expired.

Even though Gothaer timely sued STX in China, its doing so has no effect on STX's own obligation to file on time in this court.

This case will be dismissed for having been filed beyond limitations.

Signed on August 23, 2011, at Houston, Texas.



Lynn N. Hughes  
United States District Judge